

Docket No.: 2593-0164PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Shinji KOMIYAMA et al.

Application No.: 10/576,084

Confirmation No.: 6740

Filed: April 14, 2006

Art Unit: N/A

For: POLYMER ALLOY, CROSSLINKED OBJECT
AND INDUSTRIAL PART

Examiner: Not Yet Assigned

PETITION UNDER 37 C.F.R § 1.47(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition under 37 C.F.R. § 1.47(a) for acceptance of the attached Declaration & Power Attorney without the signature of inventor Mr. TAKASHI TOYA. As shown below the location of Mr. TOYA is unknown and cannot be determined. In fulfillment of the requirements of 37 C.F.R. § 1.47(a) and MPEP § 409.03 also submitted herewith are the following:

1. Oath or Declaration executed by all available inventors and on behalf of the nonsigning inventor

Attached is a Declaration & Power of Attorney executed by inventors:

SHINJI KOMIYAMA
HIROMI NUMATA
SEIJI YOKOYAMA
HARUHIKO FUJITA

Pursuant to MPEP § 409(a)(A)(2) the signature block of nonsigning inventor TAKASHI TOYA has been left blank.

2. Proof that the nonsigning inventor cannot be found.

Attached hereto is a Statement of Facts in Association with Petition under 37 C.F.R. §1.47(a). The Statement of Facts was executed by Mr. Hiroshi Yagi, of Zeon Corp (the Assignee of the present invention), who has first-hand knowledge regarding the effort made to locate Mr. TOYA. In the Statement of Facts, Mr. Yagi indicates that Mr. TOYA had retired from Zeon Corp., prior to his execution of the Declaration & Power of Attorney. Prior to retirement, Mr. TOYA provided a contact address to Zeon Corp (see para. 3).

On June 16, 2006, Mr. Yagi attempted to contact Mr. TOYA at the address provided by Mr. TOYA. However, the letter was returned to Zeon Corp. as being “undeliverable” (see para. 4).

Mr. Yagi further did a telephone directory search in Japan for Mr. TOYA and was unable to locate him (see para. 5). Mr. Yagi further states in para. 6 that he has subsequently been unable to locate Mr. TOYA.

3. The last known address of the nonsigning inventor

The last known address of Mr. TOYA is:

Kurio Shinkoyasu Goban #1002
3-388-3 Koyasutori, Kanagawa-ku
Yokohama-shi 251-0014


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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: February 12, 2007

Respectfully submitted,

By 
MaryAnne Armstrong, PhD
Registration No.: 40,069
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s): Declaration & Power of Attorney
Statement of Facts with accompanying evidence

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STATEMENT OF FACTS IN ASSOCIATION WITH
PETITION UNDER 37 C.F.R § 1.47(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Hiroshi Yagi do hereby declare the following:

- 1) I am employed by Zeon Co. in the capacity of Intellectual Property Department
- 2) In my employment capacity with Zeon Co. I have attempted on more than one occasion to contact Mr. Takashi TOYA, who is an inventor of the above-captioned application.
- 3) I have been unable to contact Mr. TOYA at his last known address, which Mr. TOYA, has reported to Zeon Co. at the time of his retirement.
- 4) On June 16, 2006, I sent a letter to Mr. TOYA at his last known address in an attempt to contact him. The letter was returned by the Central Post Office of Japan as being "undeliverable". A copy of envelope containing the returned letter is attached hereto as Exhibit A.

5) Telephone number search was done by calling "104", which is a telephone directory service in Japan, and Mr. TOYA was not located.

6) I have subsequently been unable to determine the current address of Mr. TOYA.

I hereby declare that all statements made herein of my own knowledge are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By Hiroshi Yagi

Date August 1, 2006

25/00/4

横浜 市神奈川 区子安 通

3-388-3

クリオ新子安 伍番

1002

戸谷 隆 彦

この郵便物は、保管期限が満了し、
本日、再度お届けに上がりましたが、
ご不在でしたので、お返しします。
〒220-8799 横浜中央郵便局



本人限定受取 (特)



日本ゼオン株式会社

☐ 川崎工場 〒210-9507 川崎市川崎区夜光 1-2-1 TEL 044(276)3700 FAX 044(276)3720
☒ 総合開発センター 〒210-9507 川崎市川崎区夜光 1-2-1 TEL 044(276)3721 FAX 044(276)3720
☐ 本社 〒100-6246 東京都千代田区丸の内 1-6-2 (新丸の内センタービル) TEL 03(3216)1772

<http://www.zeon.co.jp/>